

(2) In military operations in uncontrolled airspace.

(d) Section 105.23 does not apply to a parachute jump made by a member of an Armed Force within a restricted area that extends upward from the surface when that area is under the control of an Armed Force.

[Doc. No. 1491, 27 FR 11636, Nov. 27, 1962, as amended by Amdt. 105-4, 33 FR 11901, Aug. 22, 1968]

#### **§ 105.13 General.**

No person may make a parachute jump, and no pilot in command of an aircraft may allow a parachute jump to be made from that aircraft, if that jump creates a hazard to air traffic or to persons or property on the surface.

#### **§ 105.14 Radio equipment and use requirements.**

(a) Except when otherwise authorized by ATC—

(1) No person may make a parachute jump, and no pilot in command of an aircraft may allow a parachute jump to be made from that aircraft, in or into controlled airspace unless, during that flight—

(i) The aircraft is equipped with a functioning two-way radio communications system appropriate to the ATC facilities to be used;

(ii) Radio communications have been established between the aircraft and the nearest FAA air traffic control facility or FAA flight service station at least 5 minutes before the jumping activity is to begin, for the purpose of receiving information in the aircraft about known air traffic in the vicinity of the jumping activity; and

(iii) The information described in paragraph (a)(1)(ii) of this section has been received by the pilot in command and the jumpers in that flight; and

(2) The pilot in command of an aircraft used for any jumping activity in or into controlled airspace shall, during each flight—

(i) Maintain or have maintained a continuous watch on the appropriate frequency of the aircraft's radio communications system from the time radio communications are first established between the aircraft and ATC, until he advises ATC that the jumping activity is ended from that flight; and

(ii) Advise ATC that the jumping activity is ended for that flight when the last parachute jumper from the aircraft reaches the ground.

(b) If, during any flight, the required radio communications system is or becomes inoperative, any jumping activity from the aircraft in or into controlled airspace shall be abandoned. However, if the communications system becomes inoperative in flight after receipt of a required ATC authorization, the jumping activity from that flight may be continued.

[Doc. No. 7824, 31 FR 16612, Dec. 29, 1966]

#### **§ 105.15 Jumps over or into congested areas or open air assembly of persons.**

(a) No person may make a parachute jump, and no pilot in command of an aircraft may allow a parachute jump to be made from that aircraft, over or into a congested area of a city, town, or settlement, or an open air assembly of person unless a certificate of authorization for that jump has been issued under this section. However, a parachutist may drift over that congested area or open air assembly with a fully deployed and properly functioning parachute if he is at a sufficient altitude to avoid creating a hazard to persons and property on the ground.

(b) An application for a certificate of authorization issued under this section is made in a form and in a manner prescribed by the Administrator and must be submitted to the FAA Flight Standards District Office having jurisdiction over the area in which the parachute jump is to be made, at least 4 days before the day of that jump.

(c) Each holder of a certificate of authorization issued under this section shall present that certificate for inspection upon the request of the Administrator, or any Federal, State, or local official.

[Doc. No. 1491, 27 FR 11636, Nov. 27, 1962, as amended by Amdt. 105-1, 29 FR 14920, Nov. 4, 1964; Amdt. 105-7, 43 FR 22641, May 25, 1978]

#### **§ 105.17 Jumps over or onto airports.**

Unless prior approval has been given by the airport management, no person may make a parachute jump, and no pilot in command of an aircraft may